

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date: April 9, 2007

Randall J. Huebner, David G. Jensen, and Herbert Respass

Serial No : 10/625,503

Art Unit 3733 APR 09 2007

Filed : July 22, 2003

Examiner M. [redacted] OFFICE OF PETITIONS

For : BONE FUSION SYSTEM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98**

Applicants are submitting this fourth Supplemental Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form. The filing of this fourth Supplemental Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

**CONTENT OF DISCLOSURE**

This fourth Supplemental Information Disclosure Statement includes (1) 1 page of PTO-1449 forms, and (2) a legible copy of each foreign and non-patent reference, if

any, listed on the form(s). However, because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

### **FOREIGN-LANGUAGE REFERENCES**

A concise explanation of the relevance of each listed reference not in the English language follows:

Japan Patent Document No. 2001-525702: This reference appears to disclose a bone plate and to be related to WIPO Publication No. WO 98/51226 (also disclosed in this communication).

Japan Patent Document No. 2000-512186: This reference appears to disclose a bone plate.

Japan Patent Document No. 10-314172: This reference appears to disclose a bone plate and to be related to European Patent Document No. EP 0867149 A1 (also disclosed in this communication).

Japan Patent Document No. 7-178115: This reference appears to disclose a bone plate and to be related to European Patent Document No. EP 0530585 A2 (also disclosed in this communication).

Japan Patent Document No. 6-285080: This reference appears to disclose a bone plate and to be related to U.K. Patent Document No. 2,257,913 (also disclosed in this communication).

Japan Patent Document No. 5-237135: This reference appears to disclose a bone plate and to be related to Canadian Patent Document No. 2,082,535 (also disclosed in this communication).

Japan Patent Document No. 49-28687-01: This reference appears to disclose a bone plate.

#### **TIMING OF DISCLOSURE / FEE INFORMATION**

This fourth Supplemental Information Disclosure Statement is being filed with the application or with a Request for Continued Examination of the application under 37 C.F.R. §1.114. Therefore, in accordance with 37 C.F.R. § 1.97(b), no fee or statement under 37 C.F.R. § 1.97(e) is required.

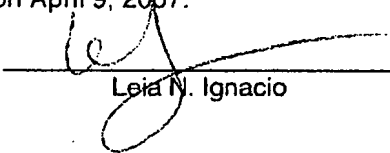
Please contact the undersigned with any questions or comments regarding this fourth Supplemental Information Disclosure Statement.

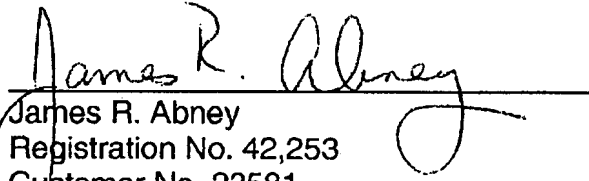
Respectfully submitted,

KOLISCH HARTWELL, P.C.

#### **CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted via facsimile to the number (571) 273-0025, at the U.S. Patent and Trademark Office, on April 9, 2007.

  
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SHEET 1 OF 1

FORM PTO-1449		DOCKET NUMBER ACM 349		APPLICATION NUMBER 10/625,503		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION		APPLICANT(S) Huebner et al.				
		FILING DATE July 22, 2003		GROUP ART UNIT 3733		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILE DATE IF APPROP.
	4,488,543	12/18/1984	Tornier			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	EP 0867149 A1	09/30/1998	Europe			X
	EP 0530585 A2	03/10/1993	Europe			X
	GB 2,257,913 A	01/27/1993	Great Britain			X
	JP 2001-525702 A	12/11/2001	Japan			X
	JP 2000-512186 A	09/19/2000	Japan			X
	JP 10-314182	12/02/1998	Japan			X
	JP 7-178115	07/18/1995	Japan			X
	JP 6-285080	10/11/1994	Japan			X
	JP 5-237135	09/17/1993	Japan			X
	JP 49-28687-01	06/12/1947	Japan			X
	CA 2,082,535	05/14/1993	Canada			X
	WO 98/51226 A2	11/19/1998	WIPO			X
OTHER DOCUMENTS						
EXAMINER			DATE CONSIDERED			